

Appl. No. 10/696,671
Reply to Office Action of May 29, 2008

JUN 13 2008**REMARKS/ARGUMENTS**

Applicant would like to thank Examiner Kushal and the Examiner's supervisor, Examiner Woitach, for taking the time to discuss the subject case the afternoon of June 12, 2008. Based upon the discussion applicant believes all the claims pending in the case will be rejoined upon entry of this amendment.

The attorney's docket number and the mailing address for the subject patent application have changed. The attorney's docket number is AVI-000CON and the correct mailing address is referenced at the end of this document. Applicant requests that the Examiner use the current attorney's docket number and the below referenced mailing address in future correspondence regarding the subject case.

The Examiner has imposed a restriction requirement dividing the claims into groups as follows:

- I Claims 20, 31, 33-34, 37, 41, 46, 52-54 and 81-98 are drawn to transgenic chickens, classified in class 800, subclass 19.

With regard to Group I the independent and distinct inventions are transgenic chickens which lay eggs containing : the interferon, G-CSF, erythropoietin, GM-CSF, antitrypsin, antithrombin III, collagen, factors VIII, IX, X, fibrinogen, insulin, protein C, tissue-type plasminogen activator, somatotrophm, cytokine, antibody, human growth hormone, immunotoxin and chymotrypsin, wherein each protein is structurally and functionally distinct from each other.

- II Claims 59, 62-80 are drawn to a method for purifying an exogenous protein from an egg, classified in class 350, subclass 351/368.

With regard to Group II the independent and distinct inventions are methods for purifying an exogenous protein from an egg, wherein the protein is: Interferon, G-CSF, erythropoietin, GM-CSF, antitrypsin, antithrombin III, collagen, factors VIII, IX, X, fibrinogen, insulin, lactoferrin, protein C, tissue-type plasminogen activator, somatotrophm, cytokine, antibody, human growth hormone, immunotoxin, chymotrypsin, wherein each protein is structurally and functionally distinct from each other.

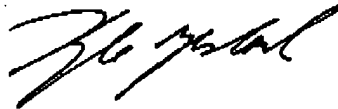
Applicant submits that based upon searches done for previous actions in the case, there would be no serious search burden placed upon the Examiner to examine the application with all claims rejoined. Applicant understands that the Examiner's are in agreement on this point and that the claims will be rejoined. For the record, to ensure that this response will not be found to

Appl. No. 10/696,671
Reply to Office Action of May 29, 2008

be non-responsive, applicant elects Group I claims and what applicant believes to be the *species* of G-CSF, each *with traverse* as explained above.

If any issues remain to be addressed in this matter, which might be resolved by discussion, the Examiner is respectfully requested to call applicant's undersigned counsel at the number indicated below.

Respectfully submitted,



Kyle Yesland, 706-277-1170, ext 233
Attorney for Applicants
Reg. No. 45,526
AviGenics, Inc.
Legal Department
111 Riverbend Road
Athens, GA 30605